

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

ABILENE DIVISION

TSEPHANYAH Y. HAWKINS,
et al,

Plaintiffs,

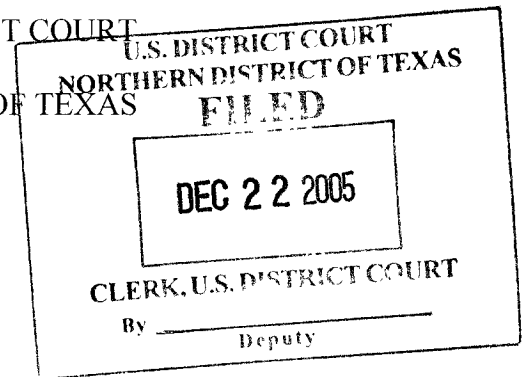
v.

THE HONORABLE JOHN W. WEEKS,
et al.,

Defendants.

Civil Action No,


1:05-CV-184-C

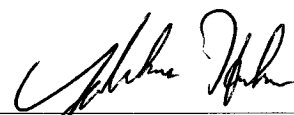


PLAINTIFFS' RESPONSE IN OPPOSITION TO
DEFENDANT S.A.W. SOLUTIONS, INC.'S MOTION TO DISMISS

Respectfully Submitted,

By:


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Comes now Plaintiffs Tsephanyah Y. Hawkins and Yahchanan Y. Hawkins (“Plaintiffs”) responding in opposition to Defendant S.A.W. Solutions, Inc.’s (“SAW”) motion to dismiss filed on December 2, 2005.

This response is filed concurrently with Plaintiffs Brief in Support of Their Response to Defendant S.A.W. Solutions, Inc.’s Motion to Dismiss (“Plaintiffs’ Brief”). It is accompanied by an appendix also filed concurrently. It is also filed concurrently with Plaintiffs’ Motion for Leave to Conduct Limited Jurisdictional Discovery Regarding Personal Jurisdiction Over S.A.W. Solutions, Inc. and its supporting brief.

As demonstrated in Plaintiffs’ Brief, SAW has done business in Texas during times relevant to the claims of Plaintiffs’ First Amended Complaint. SAW was used by Defendant Claudia Hutchison and Defendant Norman Oster for illegal purposes related to the claims of Plaintiffs’ First Amended Complaint. SAW has purposefully availed itself of forum state protection through the forum state’s courts. And SAW is a member of a group of persons associated in fact for the purpose of racketeering activity including enslaving Plaintiffs, and marketing the fruits of that slave labor across state lines. SAW’s motion to dismiss should be denied.

Plaintiffs believe that they have presented a prima facie case supporting personal jurisdiction over SAW, however, because of the secretive nature of the relationships between the SAW and other defendants in this case, and the secretive nature of defendants’ actions, and the secret nature and identity of Defendant National Institute of Realtime Reporting, Inc.’s “students”, more evidence could be presented if Plaintiffs have an opportunity and the time to conduct limited personal jurisdictional discovery to support personal jurisdiction. Plaintiffs would only need time to conduct the necessary jurisdictional discovery if the Court does not find

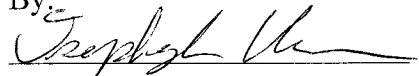
the necessary threshold of proof to have been met by the allegations, exhibits, and affidavits.

Wherefore, premises considered, Plaintiffs have concurrent with this response filed a motion asking that if this Court does not find that the necessary evidentiary threshold to support personal jurisdiction over SAW has been met, it grant Plaintiffs leave to conduct limited jurisdictional discovery, and that the Court defer its judgment on SAW's Motion to Dismiss until Plaintiffs' have had reasonable time to request, receive, analyze and present evidence supporting personal jurisdiction over SAW that such discovery would provide. Plaintiffs within that motion also request a hearing on the matter if Plaintiffs have not already established that this court has personal jurisdiction over SAW.

Wherefore, premises considered, SAW's Motion to dismiss should be denied.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

This is to certify that on this 22th day of December, 2005, a true and correct copy of the foregoing was served on the following as stated below:

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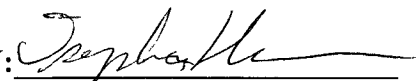
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